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RCA 88,820

Customer No. 24498

### Remarks/Arguments

These remarks are in response to the Office Action dated February 22, 2007. At the time of the Office Action, claims 1-5 and 7-20 were pending in the application. Claims 16 and 17 were objected to because of informalities. Claims 1-5 and 7-20 have been rejected under 35 U.S.C. §103. The objections and rejections are set out in more detail below.

#### I. Claim Objections

Claims 16 and 17 were objected to because of informalities. More particularly, the Examiner requested that the phrase "called ID information" recited in claim 16 be replaced with the phrase "caller ID information". The Examiner also requested that the phrase "said IP network connection" recited in claim 17 be replaced with the phrase "said second connection". Applicants have amended claims 16 and 17 in accordance with the Examiners requests.

#### II. Brief Review of Applicants' Invention

Prior to addressing the Examiner's rejections on the art, a brief review of applicants' invention is appropriate. Amended claims 1 and 3 concern methods for setting up a voice call over the Internet. The methods include the step of initiating an Internet voice call to a called voice over Internet protocol (VOIP) device. The methods also include the step of determining whether the called VOIP device is already connected to the Internet. If the called VOIP device is not already connected to the Internet, then the methods involve the step of initiating a first connection by placing a PSTN telephone call with associated caller ID information or a distinctive ringing pattern to the called VOIP device and a standard telephone.

The methods also involve determining whether the associated caller ID information is predetermined caller ID information or determining whether the distinctive ringing pattern is a pre-selected ringing pattern. If it is determined that the associated caller ID information is not predetermined caller ID information or that the distinctive ringing pattern is not a pre-selected ringing pattern, then the PSTN telephone call to the

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standard telephone is continued. If it is determined that the associated caller ID information is predetermined caller ID information or that the distinctive ringing pattern is a pre-selected ringing pattern, then the PSTN telephone call to the called VOIP device and the standard telephone is discontinued. Subsequent to discontinuing the PSTN telephone call, the methods continue with the step of establishing the Internet voice call with the called VOIP device. During this step, the called VOIP device connects to the Internet by initiating a second connection through a data network.

Amended claim 5 concerns a method for receiving an IP voice call at a receiving device. If the receiving IP device is connected to the IP network, then the method includes the step of receiving an IP voice call through an IP network. If the receiving IP device is not connected to the IP network, then the method includes the step of connecting the receiving IP device to the IP network. This connecting step is performed subsequent to a receiving step, a discontinuing step, and an initiating step. The receiving step involves receiving a PSTN telephone call placed to the receiving IP device and a standard telephone through a PSTN telephone line. The PSTN telephone call is comprised of a distinctive ringing pattern and/or caller ID information. The PSTN telephone call is a first data connection. The first data connection is to be terminated after receiving the distinctive ringing pattern and/or the caller ID information. The discontinuing step involves discontinuing the PSTN telephone call to the receiving IP device and the standard telephone upon determining that the distinctive ringing pattern is a pre-selected ringing pattern and/or determining that the caller ID information matches predetermined caller ID information. The initiating step involves initiating a second data connection by connecting to the IP network as to establish the IP voice call in response to the distinctive ringing pattern and/or a determination that the caller ID information matches the predetermined caller ID information.

### III. Claim Rejections Under 35 U.S.C. §103

Claims 1-5 and 7-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application 6,108,329 to Oyama, et al. ("Oyama") in view of U.S. Patent Application 6,636,506 B1 to Fan. The Oyama reference discloses and teaches a process for establishing a telephone call between a source terminal T11 and

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a destination terminal T21. See col. 6, lines 38-67, col. 7, lines 1-27, FIG. 6, and FIG. 7. This process begins by starting a point-to-point protocol (PPP) connection between the source terminal T11 and a source server S11. See col. 6, lines 41-53, FIG. 6, and FIG. 7. Thereafter, the source terminal T11 sends a telephone call request to the source server S11. See col. 6, lines 54-57, FIG. 6, and FIG. 7. In turn, the source server S11 sends a call approval to the source terminal T11. See col. 6, lines 54-57, FIG. 6, and FIG. 7.

In response to receipt of a call approval, the source terminal T11 communicates a desired destination address to the source server S11. See col. 6, lines 54-57, FIG. 6, and FIG. 7. Subsequently, the source server S11 sends a call request to a destination server S21. See col. 6, lines 58-62, FIG. 6, and FIG. 7. Upon receipt of the call request, the destination server S21 sends a call approval to the source server S11. See col. 6, lines 62-64, FIG. 6, and FIG. 7. In response to the call approval, the source server S11 communicates a desired destination address to the destination server S21. See col. 6, lines 64-67, FIG. 6, and FIG. 7.

The destination server S21 searches a database to find out information on the destination terminal T21. See col. 6, lines 68-69, col. 7, line 1, FIG. 6, and FIG. 7. The destination server S21 dials a telephone number of the destination terminal T21. See col. 7, lines 3-6, FIG. 6, and FIG. 7. The destination terminal T21 sends an acknowledgement to the destination server S21. See col. 7, lines 7-8, FIG. 6, and FIG. 7. Upon receipt of the acknowledgement, the destination server S21 requests a point-to-point protocol (PPP) connection with the destination terminal T21. See col. 7, lines 8-11, FIG. 6, and FIG. 7. In response, the destination terminal T21 communicates a confirmation of the point-to-point protocol (PPP) connection to the destination server S21. See col. 7, lines 8-11, FIG. 6, and FIG. 7.

When the point-to-point protocol (PPP) connection is started, the destination server S21 sends a call request to the destination terminal T21. See col. 7, lines 19-21, FIG. 6, and FIG. 7. In turn, the destination terminal T21 sends a call approval to the destination server S21. See col. 7, lines 19-21, FIG. 6, and FIG. 7. Thereafter, the destination server S21 sends a call connection completion notice to the source server S11. See col. 7, lines 21-25, FIG. 6, and FIG. 7. The source server S11 sends a call

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connection completion notice to the source terminal T11. See col. 7, lines 21-25, FIG. 6, and FIG. 7. As a result, a communications channel is set up between the source terminal T11 and the destination terminal T21. See col. 7, lines 25-27, FIG. 6, and FIG. 7.

Upon review of the Oyama reference, it becomes readily apparent that the Oyama reference fails to disclose and/or teach the method recited in amended claims 1, 3 and 5. More particularly, the Oyama reference fails to disclose and/or teach a method including the step of initiating a first connection by placing a PSTN telephone call with caller ID information or a distinctive ringing pattern to a called VOIP device and a standard telephone. The Oyama reference also fails to disclose and/or teach a method including the step of determining (a) whether the caller ID information is predetermined caller ID information or (b) whether the distinctive ringing pattern is a pre-selected ringing pattern. The Oyama reference further fails to disclose and/or teach a method including the step of continuing the PSTN telephone call to the standard telephone if it is determined that (a) the caller ID information is not predetermined caller ID information or (b) the distinctive ringing pattern is not a pre-selected ringing pattern. Furthermore, the Oyama reference fails to disclose and/or teach a method including the step of discontinuing the PSTN telephone call to the called VOIP device and the standard telephone if it is determined that (a) the caller ID information is a predetermined caller ID information or (b) the distinctive ringing pattern is a pre-selected ringing pattern.

Referring now to the Fan reference, a process for establishing an Internet telephone to internet telephone connection is described in the references specification. See col. 4, lines 15-58, and FIG. 1. The process begins when a first internet telephone station places a call to a standard telephone number. See col. 4, lines 16-18, and FIG. 1. A second internet telephone station answers the call at the first ring thereby establishing a PSTN connection with the first internet telephone station. See col. 4, lines 18-21, and FIG. 1. Upon answering the call, the internet telephone stations exchange information. See col. 4, lines 21-27, and FIG. 1. Specifically, the first internet telephone station communicates a caller's telephone number, name and Internet protocol (IP) address to the second internet telephone station. See col. 4, lines 21-27,

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and FIG. 1. The second internet telephone station communicates its internet protocol (IP) address to the first internet telephone station. See col. 4, lines 21-27, and FIG. 1.

After exchanging information, the first and second internet telephone stations hang up their phone, thereby breaking the PSTN connection. See col. 4, lines 27-30, and FIG. 1. Following the disconnection of the PSTN connection, the first and second internet telephone stations automatically dial their internet service providers (ISPs), respectively. See col. 4, lines 34-37, and FIG. 1. Thereafter, the first and second internet telephone stations establish a transmission control protocol (TCP) and/or internet protocol (IP) connection with their ISPs. See col. 4, lines 37-38, and FIG. 1. Subsequently, the first and second internet telephone stations establish a TCP/IP link between them via an internet by using the IP address information previously exchanged. See col. 4, lines 43-45, and FIG. 1.

Upon review of the Fan reference, it becomes readily apparent that the deficiencies of the Oyama reference are not corrected by the Fan reference. In particular, the Fan reference fails to disclose and/or teach a method including the step of placing a PSTN telephone call with caller ID information and/or a distinctive ringing pattern to a called VOIP device and a standard telephone. The Fan reference fails to disclose and/or teach a method including the step of determining whether the caller ID information is predetermined caller ID information or the step of determining whether a distinctive ringing pattern is a pre-selected ringing pattern. The Fan reference further fails to disclose and/or teach a method including the step of continuing the PSTN telephone call to the standard telephone if it is determined that the caller ID information is not predetermined caller ID information or if it is determined that the distinctive ringing pattern is not a pre-selected ringing pattern. Furthermore, the Fan reference fails to disclose and/or teach the step of discontinuing the PSTN telephone call to the called VOIP device and the standard telephone if it is determined that the caller ID information is predetermined caller ID information or if it is determined that the distinctive ringing pattern is a pre-selected ringing pattern.

In view of the forgoing, the combination of the Oyama and Fan references fail to disclose, teach and/or suggest the methods recited in amended claims 1, 3, and 5.

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Accordingly, Applicant requests reconsideration and allowance of the pending claims 1-5, 7-17, and 19-20.


IV. Conclusion

Applicants have made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. Nevertheless, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicants respectfully request reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

6/20/07

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